

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

NETCHOICE, LLC, et al.,
Plaintiffs,

v.

KEN PAXTON, in his official capacity as
Attorney General of Texas,
Defendant.

Civil Action No. 1:21-cv-00840-RP

DEFENDANT’S UNOPPOSED MOTION FOR LEAVE TO EXCEED PAGE LIMITS

Defendant, Ken Paxton, files this Unopposed Motion for Leave to Exceed Page Limits for filing his Response to Motion for Preliminary Injunction (Exhibit A), and respectfully moves this Court as follows:

1. Rule 7.D.3. of this Court’s Local Rules states that “a response to...other motions is limited to 20 pages.”
2. Defendant did not oppose Plaintiffs’ request to exceed the page limits for filing Plaintiffs’ Preliminary Injunction, which consisted of 45 pages. *See* Dkt. 12 and Motion to Exceed Dkt. 8.
3. In their motion to exceed page limits for their Motion for Preliminary Injunction, Plaintiffs stated that the excess pages of the motion “will aid the Court’s understanding of the issues and will not prejudice Defendant.” Dkt. 8, pg. 2.
4. In that same vein, Defendant believes that excess pages are required for his response. The Constitutional issues and technical nature of the arguments and facts support the need for excess pages to aid the Court’s understanding. Defendant expects that his Response to the Motion for Preliminary Injunction will consist of approximately 50 pages.

5. Good cause exists for extending the page limitation. Plaintiffs have asserted 3 different causes of actions on support of their claims and also failed to fully brief the matter of whether the Platforms should be deemed common carriers. These complex issues require an excess of the regular page limit to fully brief the issues, and the evidence, to this Court.

6. Defendant conferred with Plaintiffs' counsel regarding this Motion, and they state that they are unopposed to a 50-page request. In turn, Defendant is unopposed to a 30-page reply brief.

CONCLUSION

For the reasons set forth above, Ken Paxton respectfully prays that the Court grant him leave to exceed the page limitations in Defendant's Response to Motion for Preliminary Injunction.

Respectfully submitted,

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

GRANT DORFMAN
Deputy First Assistant Attorney General

SHAWN COWLES
Deputy Attorney General for Civil Litigation

THOMAS A. ALBRIGHT
Division Chief
General Litigation Division

/s/ Courtney Corbello
COURTNEY CORBELLO
Attorney-in-Charge
Assistant Attorney General
Texas State Bar No. 24097533
courtney.corbello@oag.texas.gov

CHRISTOPHER D. HILTON
Counsel of Record
Assistant Attorney General
Texas State Bar No. 24087727
christopher.hilton@oag.texas.gov

BENJAMIN STOREY LYLES
Counsel of Record
Assistant Attorney General
Texas State Bar No. 24094808
benjamin.lyles@oag.texas.gov

BENJAMIN S. WALTON
Counsel of Record
Assistant Attorney General
Texas State Bar No. 24075241
benjamin.walton@oag.texas.gov

General Litigation Division
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548
(512) 463-2120 / Fax (512) 936-2109

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I certify that on November 22, 2021 the foregoing was filed electronically via the Court's CM/ECF system, causing electronic service upon all counsel of record.

/s/ Courtney Corbello
COURTNEY CORBELLO

CERTIFICATE OF CONFERENCE

I certify that on November 22, 2021, I conferred with counsel regarding the relief requested in this motion. Plaintiffs' counsel stated Plaintiffs are unopposed.

/s/ Courtney Corbello
COURTNEY CORBELLO